



18w/1642

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kenji OKAJIMA et al.

Application No.: 10/540,832

I. A. Filing Date: December 26, 2003

Filed: June 27, 2005

For: ...MEDICAMENT FOR IMPROVING PROGNOSTIC SURVIVAL IN THERAPY OF...

Customer Service Window, **Mail Stop Amendment**
Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, 401 Dulany Street
Alexandria, Virginia 22314

Art Unit:

Examiner:

Washington, D.C.

Atty.'s Docket:

Confirmation No.: 2332

Date: March 10, 2006

Sir:

Transmitted herewith is a **SECOND PRELIMINARY AMENDMENT** in the above-identified application.

☐ Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

☒ No additional fee is required.

☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA EQUALS
TOTAL	* 6	MINUS	** 20		0
INDEP.	* 1	MINUS	*** 3		0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 25	\$
x 100	\$
+ 180	\$
ADDITIONAL FEE TOTAL	
\$	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 50	\$
x 200	\$
+ 360	\$
TOTAL	
\$	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- ☐ First - \$ 60.00
- ☐ Second - \$ 225.00
- ☐ Third - \$ 510.00
- ☐ Fourth - \$ 795.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- ☐ First - \$ 120.00
- ☐ Second - \$ 450.00
- ☐ Third - \$ 1020.00
- ☐ Fourth - \$ 1590.00

Month After Time Period Set

☐ Less fees (\$) already paid for month(s) extension of time on .

☐ Please charge my Deposit Account No. 02-4035 in the amount of \$.

☐ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$.

☐ A check in the amount of \$ is attached (check no.).

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.

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In re Application of:)	Confirmation No.: 2332
)	
Kenji OKAJIMA et al)	Art Unit:
)	
I.A. Filing Date: 12/26/2003)	Examiner:
371(c) Date: June 27, 2005)	
)	March 10, 2006
U.S. Appln. No.: 10/540,852)	
)	ATTY.'S DOCKET: OKAJIMA=1
For: MEDICAMENT FOR IMPROVING)	
PROGNOSTIC SURVIVAL IN)	
THERAPY OF MALIGNANT TUMOR)	

SECOND PRELIMINARY AMENDMENT

Customer Service Window, Mail Stop Amendment
Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Some errors having been found in the specification,
please amend as follows prior to any examination:

Amendments to the Specification begin on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.